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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**UNITED STATES OF AMERICA**

**CRIMINAL ACTION NO.: 11-55-01**

**VERSUS**

**JUDGE HAIK**

**MONTY MORGAN**

**MAGISTRATE JUDGE HANNA**

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**JUDGMENT**

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Particularly, the Defendant's Fourth Amendment rights were violated when he was subjected to an illegal arrest and search, and the initial statement obtained from Defendant was obtained in violation of the *Miranda* rule.

Accordingly, it is therefore **ORDERED, ADJUDGED, AND DECREED** that the Defendant's Motion to Suppress (Doc. 69) be **GRANTED**.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that all of Defendant's statements of February 21, 2011 be suppressed as fruits of the illegal arrest; that all evidence seized as a result of the search of his plane on February 21, 2011 be suppressed as fruits of an illegal search; and the statement of Fuentes-Cardona made at the time of the illegal arrest of Defendant be suppressed.

**THUS DONE AND SIGNED** this the 1<sup>st</sup> day of February, 2012.

  
**JUDGE RICHARD T. HAIK, SR.  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA**